

# Staff Summary Report



To: Mayor & City Council  
Through: City Manager

Agenda Item Number <sup>43</sup>  
Meeting Date 12/13/01

**SUBJECT: ORDINANCE FOR ADOPTION**

**PREPARED BY:** JIM CRISTEA, ENGINEERING MANAGER, LAND SERVICES  
(350-8417)

**REVIEWED BY:** NEIL MANN, DEPUTY PW MANAGER/CITY ENGINEER  
(350-8250)

**BRIEF:** This is the **first** public hearing for the abandonment of a 12 foot and 20 foot public utility easement.

**COMMENTS:** **ABANDONMENT (0901) ORDINANCE NO. 2001.38** This is the first public hearing for the abandonment of a 12 foot and 20 foot waterline easement, as dedicated on the Final Plat and Final P.A.D. for Rio Ventana Townhomes, recorded in Book 550 of Maps, Page 23. A new easement for our facilities has been dedicated, rendering this easement obsolete. There are no existing facilities located within the easement to be abandoned.

**Document Name:** (20011213PWDR05) Supporting Documents: Yes

**SUMMARY:** The plat (of which the easement is a part) was recorded in Instrument 2001-0953819 Maricopa County Records. Staff supports this abandonment.

**RECOMMENDATION:**

That the City Council hold a public hearing and adopt Ordinance No. 2001.38 and authorize the Mayor to execute any necessary documents.

Approved by: Glenn Kephart, Public Works Manager

ORDINANCE NO. 2001.38

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A PUBLIC UTILITY EASEMENT AS DEDICATED BY THE FINAL PLAT AND FINAL P.A.D. FOR RIO VENTANA TOWNHOMES, LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST, G&SRB&M.

\*\*\*\*\*

WHEREAS, it has been determined by the City Council of the City of Tempe that a certain easement which was intended for public utilities is no longer required by the City for use as such, and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish and vacate a certain easement which was intended for public utilities as described and delineated on EXHIBIT "A" and "A-1" attached hereto.

SECTION II. That all rights of the City in that easement to be abandoned shall vest in the record owner(s) of the subject property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

SECTION IV. That the City Engineer or his designee is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

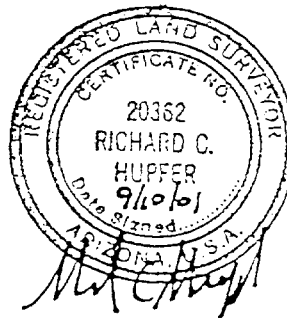
LEGAL DESCRIPTION  
OF A  
PUBLIC UTILITY EASEMENT  
TO BE ABANDONED

EXHIBIT "A"

That certain 20 foot and 12 foot Public Utility Easement as dedicated by the Final Plat & Final P.A.D. for RIO VENTANA TOWNHOMES, recorded December 14, 2000 in Book 550 of Maps, Page 23, Records of Maricopa County, Arizona.

Prepared by:

MOREA-HALL ENGINEERING, INC.  
1820 W. Maricopa Freeway  
Phoenix, Arizona 85007  
Job No. 3446.36  
September 10, 2001  
P.U.E. Easement Abandonment



# EXHIBIT A-1

FINAL PLAT  
FINAL P.A.D.

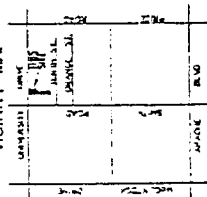
FOR

RIO VENTANA TOWNHOMES  
PART OF THE NORTHEAST QUARTER OF SECTION 24,  
TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE  
GILA & SALT RIVER BASE AND MERIDIAN  
MARICOPA COUNTY  
TEMPE, ARIZONA

UNIT OF SURVEY  
COMPARISON WITH  
P. 200328 IN  
P. 200328 IN  
P. 200328 IN  
P. 200328 IN

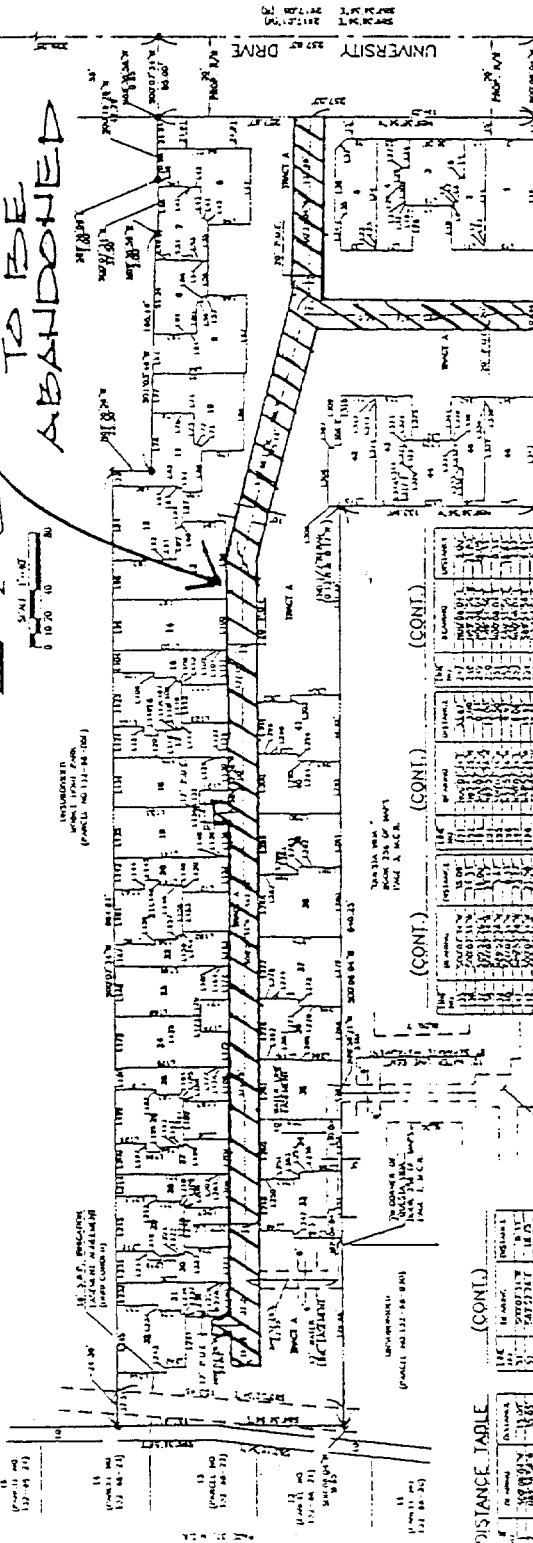
SMITH ROAD  
MAY 07, 1911  
MAY 07, 1911  
MAY 07, 1911  
MAY 07, 1911

VICINITY MAP



550 23  
2000-0953819  
11-88

PROPOSED P.U.E.  
TO BE  
ABANDONED



## LEGEND

- 1. BOUNDARY LINE
- 2. BOUNDARY LINE WITH 1/2" BEAM
- 3. BOUNDARY LINE WITH 1/2" BEAM
- 4. BOUNDARY LINE WITH 1/2" BEAM
- 5. BOUNDARY LINE WITH 1/2" BEAM
- 6. BOUNDARY LINE WITH 1/2" BEAM
- 7. BOUNDARY LINE WITH 1/2" BEAM
- 8. BOUNDARY LINE WITH 1/2" BEAM
- 9. BOUNDARY LINE WITH 1/2" BEAM
- 10. BOUNDARY LINE WITH 1/2" BEAM
- 11. BOUNDARY LINE WITH 1/2" BEAM
- 12. BOUNDARY LINE WITH 1/2" BEAM
- 13. BOUNDARY LINE WITH 1/2" BEAM
- 14. BOUNDARY LINE WITH 1/2" BEAM
- 15. BOUNDARY LINE WITH 1/2" BEAM
- 16. BOUNDARY LINE WITH 1/2" BEAM
- 17. BOUNDARY LINE WITH 1/2" BEAM
- 18. BOUNDARY LINE WITH 1/2" BEAM
- 19. BOUNDARY LINE WITH 1/2" BEAM
- 20. BOUNDARY LINE WITH 1/2" BEAM
- 21. BOUNDARY LINE WITH 1/2" BEAM
- 22. BOUNDARY LINE WITH 1/2" BEAM
- 23. BOUNDARY LINE WITH 1/2" BEAM
- 24. BOUNDARY LINE WITH 1/2" BEAM
- 25. BOUNDARY LINE WITH 1/2" BEAM
- 26. BOUNDARY LINE WITH 1/2" BEAM
- 27. BOUNDARY LINE WITH 1/2" BEAM
- 28. BOUNDARY LINE WITH 1/2" BEAM
- 29. BOUNDARY LINE WITH 1/2" BEAM
- 30. BOUNDARY LINE WITH 1/2" BEAM
- 31. BOUNDARY LINE WITH 1/2" BEAM
- 32. BOUNDARY LINE WITH 1/2" BEAM
- 33. BOUNDARY LINE WITH 1/2" BEAM
- 34. BOUNDARY LINE WITH 1/2" BEAM
- 35. BOUNDARY LINE WITH 1/2" BEAM
- 36. BOUNDARY LINE WITH 1/2" BEAM
- 37. BOUNDARY LINE WITH 1/2" BEAM
- 38. BOUNDARY LINE WITH 1/2" BEAM
- 39. BOUNDARY LINE WITH 1/2" BEAM
- 40. BOUNDARY LINE WITH 1/2" BEAM
- 41. BOUNDARY LINE WITH 1/2" BEAM
- 42. BOUNDARY LINE WITH 1/2" BEAM
- 43. BOUNDARY LINE WITH 1/2" BEAM
- 44. BOUNDARY LINE WITH 1/2" BEAM
- 45. BOUNDARY LINE WITH 1/2" BEAM
- 46. BOUNDARY LINE WITH 1/2" BEAM
- 47. BOUNDARY LINE WITH 1/2" BEAM
- 48. BOUNDARY LINE WITH 1/2" BEAM
- 49. BOUNDARY LINE WITH 1/2" BEAM
- 50. BOUNDARY LINE WITH 1/2" BEAM
- 51. BOUNDARY LINE WITH 1/2" BEAM
- 52. BOUNDARY LINE WITH 1/2" BEAM
- 53. BOUNDARY LINE WITH 1/2" BEAM
- 54. BOUNDARY LINE WITH 1/2" BEAM
- 55. BOUNDARY LINE WITH 1/2" BEAM
- 56. BOUNDARY LINE WITH 1/2" BEAM
- 57. BOUNDARY LINE WITH 1/2" BEAM
- 58. BOUNDARY LINE WITH 1/2" BEAM
- 59. BOUNDARY LINE WITH 1/2" BEAM
- 60. BOUNDARY LINE WITH 1/2" BEAM
- 61. BOUNDARY LINE WITH 1/2" BEAM
- 62. BOUNDARY LINE WITH 1/2" BEAM
- 63. BOUNDARY LINE WITH 1/2" BEAM
- 64. BOUNDARY LINE WITH 1/2" BEAM
- 65. BOUNDARY LINE WITH 1/2" BEAM
- 66. BOUNDARY LINE WITH 1/2" BEAM
- 67. BOUNDARY LINE WITH 1/2" BEAM
- 68. BOUNDARY LINE WITH 1/2" BEAM
- 69. BOUNDARY LINE WITH 1/2" BEAM
- 70. BOUNDARY LINE WITH 1/2" BEAM
- 71. BOUNDARY LINE WITH 1/2" BEAM
- 72. BOUNDARY LINE WITH 1/2" BEAM
- 73. BOUNDARY LINE WITH 1/2" BEAM
- 74. BOUNDARY LINE WITH 1/2" BEAM
- 75. BOUNDARY LINE WITH 1/2" BEAM
- 76. BOUNDARY LINE WITH 1/2" BEAM
- 77. BOUNDARY LINE WITH 1/2" BEAM
- 78. BOUNDARY LINE WITH 1/2" BEAM
- 79. BOUNDARY LINE WITH 1/2" BEAM
- 80. BOUNDARY LINE WITH 1/2" BEAM
- 81. BOUNDARY LINE WITH 1/2" BEAM
- 82. BOUNDARY LINE WITH 1/2" BEAM
- 83. BOUNDARY LINE WITH 1/2" BEAM
- 84. BOUNDARY LINE WITH 1/2" BEAM
- 85. BOUNDARY LINE WITH 1/2" BEAM
- 86. BOUNDARY LINE WITH 1/2" BEAM
- 87. BOUNDARY LINE WITH 1/2" BEAM
- 88. BOUNDARY LINE WITH 1/2" BEAM
- 89. BOUNDARY LINE WITH 1/2" BEAM
- 90. BOUNDARY LINE WITH 1/2" BEAM
- 91. BOUNDARY LINE WITH 1/2" BEAM
- 92. BOUNDARY LINE WITH 1/2" BEAM
- 93. BOUNDARY LINE WITH 1/2" BEAM
- 94. BOUNDARY LINE WITH 1/2" BEAM
- 95. BOUNDARY LINE WITH 1/2" BEAM
- 96. BOUNDARY LINE WITH 1/2" BEAM
- 97. BOUNDARY LINE WITH 1/2" BEAM
- 98. BOUNDARY LINE WITH 1/2" BEAM
- 99. BOUNDARY LINE WITH 1/2" BEAM
- 100. BOUNDARY LINE WITH 1/2" BEAM

## NOTE

The entire plat, including the proposed lot, is subject to the provisions of the Arizona Public Utility Act.

## BASIS OF BEARINGS

The bearings are taken from the true meridian, as shown on the map, and are subject to the provisions of the Arizona Public Utility Act.

## CERTIFICATION

I, the undersigned, being a duly qualified and sworn surveyor, do hereby certify that the foregoing plat is a true and correct representation of the land described therein, and that the same has been surveyed and platted in accordance with the provisions of the Arizona Public Utility Act.

Witness my hand and seal of office at Phoenix, Arizona, this 11th day of November, 1988.

Surveyor

11-88

11-88

11-88

11-88

11-88

11-88

11-88

11-88

11-88

11-88

11-88

11-88

PRICE ROAD

UNIVERSITY DRIVE

APACHE BLVD

SMITH ROAD

11-88

11-88

11-88

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)

(CONT.)